

The Board of County Commissioners, Brown County, Ohio, met in regular session this 20th day of May 2019 with the following members present: Tony Applegate, President Daryll R. Gray, Member Barry L. Woodruff, Member

IN THE MATTER OF PREVIOUS MINUTES

Motion moved by Mr. Woodruff to approve the minutes of the previous regular meeting and dispense with the oral reading. Second: Mr. Gray.

ROLL CALL VOTE: Mr. Woodruff, yea Mr. Gray, yea Mr. Applegate, yea

IN THE MATTER OF RESOLUTION – RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY FOR THE PURPOSE OF THANKING THE GOVERNOR AND THE OHIO HOUSE OF REPRESENTATIVES FOR THEIR SUPPORT OF STATE INDIGENT DEFENSE REIMBURSEMENT AND CALLING ON THE OHIO SENATE TO CONTINUE THIS SUPPORT IN THE STATE BUDGET BILL

Motion moved by Mr. Gray to adopt the following resolution. Second: Mr. Woodruff.

ROLL CALL VOTE: Mr. Woodruff, yea Mr. Gray, yea Mr. Applegate, yea

RESOLUTION NO. 05202019-1

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY FOR THE PURPOSE OF THANKING THE GOVERNOR AND THE OHIO HOUSE OF REPRESENTATIVES FOR THEIR SUPPORT OF STATE INDIGENT DEFENSE REIMBURSEMENT AND CALLING ON THE OHIO SENATE TO CONTINUE THIS SUPPORT IN THE STATE BUDGET BILL.

On this 20th day of May 2019, the Board of County Commissioners of Brown County, Ohio, met in regular session with the following members present: Mr. Daryll Gray, Mr. Barry Woodruff, and Mr. Tony Applegate.

Mr. Gray moved to adopt the following resolution:

WHEREAS, Ohio counties have experienced a collective \$351 million annual revenue loss due to reductions in the Local Government Fund, Medicaid Managed Care sales tax elimination, and tangible personal property tax; and

WHEREAS, Ohio counties are anticipating a \$50 million collective sales tax revenue loss by State Fiscal Year 2021 due to the implementation of the prescription eyewear sales tax exemption and the expiration of Ohio's grandfather clause to the federal Internet Tax Freedom Act of 1998; and

WHEREAS, county budgets have been strained for decades by the state passing down to counties its constitutionally-mandated requirement under the U.S. Supreme Court decision *Gideon v. Wainright (1963)* that the state provide legal counsel to indigent defendants; and

WHEREAS, the state reimbursement rate to counties for indigent defense costs has only averaged 35 percent from SFY 07 to SFY 16, leaving counties to collectively spend tens of millions in county general revenue funds to fulfill this state mandate; and

WHEREAS, Governor Mike DeWine provided counties an additional \$60 million each fiscal year of his introduced state budget to provide counties with much needed budgetary relief of this state mandate; and

WHEREAS, the Ohio House of Representatives provided an additional \$35 million in SFY 21 to the state budget bill to reimburse counties for indigent defense costs and alleviate counties of this growing state mandate;

NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, OHIO; THAT, this Board applauds and sincerely thanks Governor DeWine for listening to county budgetary concerns and addressing indigent defense costs with his historic and impactful investment included in his introduced budget; and

THAT, this Board deeply appreciates and sincerely thanks the Ohio House of Representatives for further increasing the indigent defense appropriation by \$35 million in SFY21 which should fully reimburse counties for their indigent defense costs, assuming current conditions; and

THAT, this Board calls upon the Ohio Senate to maintain the House of Representatives' appropriation for indigent defense reimbursement in the state budget bill to ensure that this state mandate remains funded; and

THAT, this Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board; and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

Mr. Woodruff seconded the motion for adoption of said resolution and the roll being called upon its adoption, the voted resulted as follows:

Roll Call: Mr. Woodruff;
 Mr. Gray;
 Mr. Applegate

IN THE MATTER OF RESOLUTION – RESOLUTION IN SUPPORT OF H.B. 153 THE WORKING OFFICIALS REQUIREMENTS KEY ACT OF THE 133RD OHIO GENERAL ASSEMBLY

Motion moved by Mr. Gray to adopt the following resolution. Second: Mr. Woodruff.

**RESOLUTION IN SUPPORT OF H.B. 153
THE WORKING OFFICIALS REQUIREMENTS KEY ACT
OF THE 133RD OHIO GENERAL ASSEMBLY**

Resolution No. 05202019-2

The Board of County Commissioners of Brown County, Ohio, met on the 20th day of May, 2019, in regular session at the offices of said Board in the Administration Building, Georgetown, Ohio, with the following members present:

- Barry Woodruff
- Daryll Gray
- Tony Applegate

The following resolution was presented by Mr. Gray, who moved its adoption, and seconded by Mr. Woodruff.

Whereas, State Representative John Becker of the 65th District introduced H.B. 153, the Working Officials Requirements Key Act or WORK Act in the Ohio House of Representatives, 133rd General Assembly, on March 20, 2019; and

Whereas, H.B. 153, the WORK Act, is currently pending before the State and Local Government Committee of the Ohio House of Representatives; and

Whereas, the current law regarding work requirements for elected county officers is sorely outdated and only requires most elected county officers to perform their duties of office once every ninety consecutive days; and

Whereas, H.B. 153, the WORK Act, would require all elected county officers to perform the duties of their respective offices at their principal office locations on at least five out of thirty consecutive days by amending current law, specifically, Ohio Revised Code 305.03(A); and

Whereas, H.B. 153, the WORK Act, creates a legal process for a vacancy of office determination, which does not exist under current law, by the filing of a complaint in writing with the clerk of court of common pleas of the county where the officer resides; and

Whereas, H.B. 153, the WORK Act, would continue provisions that exist under current law, which allow for absence exceptions for elected county officers for sickness or injury or while in the active military service of the United States; and

Whereas, the Board of Commissioners, Brown County, Ohio, fully believes that all elected county officers shall perform their respective duties of office at all times with diligence, efficiency, and with their absolute full attention; and Whereas, the Board of Commissioners, Brown County, Ohio, fully believes the taxpayers deserve elected county officers who properly and meritoriously earn their respective government paychecks.

Now, therefore, be it resolved by the Board of Commissioners, Brown County, Ohio, that the Board hereby supports the enactment of H.B. 153, the Working Officials Requirements Key Act or WORK Act now pending before the 133rd Ohio General Assembly.

Upon call of the roll:

ROLL CALL VOTE: Mr. Woodruff, yea Mr. Gray, yea Mr. Applegate, yea

IN THE MATTER OF PRC PLAN REVISION – JFS

Motion moved by Mr. Woodruff, upon the recommendation of Mitch Sharp, JFS Director, to amend the PRC Plan, to correct pages 7, 8, 9 and 20 for better reference of ORC §5107.02 and enhance clarification. Second: Mr. Gray.

ROLL CALL VOTE: Mr. Woodruff, yea Mr. Gray, yea Mr. Applegate, yea

IN THE MATTER TO AWARD BID AND ENTER CONTRACT – FLAUGHER HILL ROAD LAND SLIDE PIER WALL SITE 1 – ENGINEER

Motion moved by Mr. Woodruff upon the recommendation of Todd Cluxton, Engineer, to award bid and enter contract with W.E. Smith Construction 2030 Bauer Road, Blanchester, Ohio, for the Flaughner Hill Road Land Slide Pier Wall Site 1, effective May 6, 2019 and shall terminate June 4, 2019. See complete contract on file. Second: Mr. Gray.

ROLL CALL VOTE: Mr. Woodruff, yea Mr. Gray, yea Mr. Applegate, yea

IN THE MATTER TO AWARD BID AND ENTER CONTRACT – FLAUGHER HILL ROAD LAND SLIDE PIER WALL SITE 2 – ENGINEER

Motion moved by Mr. Gray upon the recommendation of Todd Cluxton, Engineer, to award bid and enter contract with W.E. Smith Construction 2030 Bauer Road, Blanchester, Ohio, for the Flaughner Hill Road Land Slide Pier Wall Site 2, effective June 24, 2019 and shall terminate June 25, 2019. See complete contract on file. Second: Mr. Woodruff.

ROLL CALL VOTE: Mr. Woodruff, yea Mr. Gray, yea Mr. Applegate, yea

IN THE MATTER OF PERSONNEL – DPS

Motion moved by Mr. Woodruff to approve the request of Barb Davis, Director DPS, to terminate Belinda Harmon, Telecommunications Specialist/911 Dispatcher, for violations of BCCC SOP BC-0065, effective 5/20/2019. See personnel file for further documentation. In attendance: Barb Davis, DPS. Second: Mr. Gray.

ROLL CALL VOTE: Mr. Woodruff, yea Mr. Gray, yea Mr. Applegate, yea

IN THE MATTER TO ADJOURN

Motion moved by Mr. Gray to adjourn this meeting with no further business before the Board this 20th day of May, 2019. Second: Mr. Woodruff.

ROLL CALL VOTE: Mr. Woodruff, yea Mr. Gray, yea Mr. Applegate, yea

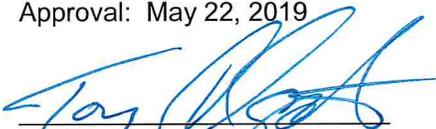
5/16/2019

Commissioners, Daryll Gray and Barry Woodruff, attended the 2019 SHCTC Completion Ceremony.

5/17/2019

Commissioner, Barry Woodruff, attended the Career Tech Center, SHCTC, with the State Director of Career Tech.

Approval: May 22, 2019


Tony Applegate, President


Daryll Gray, Member


Barry Woodruff, Member


Sarah Beath, Clerk

May 20, 2019